

### **Remarks**

Claims 1-28 are pending and have been amended to overcome various objections and rejections as to form arising under 35 U.S.C. §101 and §112. No new matter has been added. All issues raised in the previous Office Action have been addressed and satisfied.

Item 1 of the Office Action acknowledged the claim to foreign priority and requests copies of the foreign applications. Enclosed with this response are copies of the published applications.

Item 2 of the Office Action objected to various informalities in the claims. Each of the objected to claims has been amended as suggested to overcome the objections.

Items 3 and 4 of the Office Action rejected claims 1-22 as indefinite under 35 U.S.C. §112, second paragraph. Specifically, claim 1 was rejected for reciting the term “selected images” before reciting a “selection means.” Claim 1 has been amended accordingly to recite the “selection means” first. Claim 9 was rejected for reciting the term “the edge mask” without prior antecedent basis. Claim 9 has been amended to refer to “the mask” which has antecedent basis in parent claim 8. Thus, all of the Section 112 rejections have been addressed and corrected.

Items 5 and 6 of the Office Action rejected claims 26-28 under 35 U.S.C. §101 as being computer software claims per se directed to non-statutory subject matter containing functional descriptive matter. As explained in MPEP 2106.01, such software claims can be amended into proper form by referring to encoding in a computer readable medium:

“When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized.”

Accordingly, claims 26-28 have been amended into proper form referring to a computer readable medium containing a computer program product.

Items 7-9 of the Office Action indicated that the claims would be allowable if rewritten or amended to overcome the various objections and rejections discussed above. As explained, the claims have been amended as suggested to correct the various issues raised, and are therefore in condition for allowance.

Item 10 of the Office Action sets forth the Examiner's reasons for finding allowable subject matter, which Applicants acknowledge.

Reconsideration and issuance of a Notice of Allowance are respectfully requested.

### **Conclusion**

Applicant hereby requests a one month extension of time in accordance with the provisions of 37 C.F.R. § 1.136. Please charge deposit account 19-4972 for the amount of \$120.00 for the fee for the one month extension of time. Applicant believes that no further extension of time is required; however, this conditional petition is being made to provide for the possibility that the applicant has inadvertently overlooked the need for a further additional extension of time. If any additional fees are required for the timely consideration of the application, please charge deposit account number 19-4972.

Respectfully submitted,

/Jay Sandvos, #43,900/

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